

**TARTER  
KRINSKY &  
DROGIN LLP**  
ATTORNEYS AT LAW

# MEMO ENDORSED

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MAY 30 2008

ED STATES DISTRICT JUDGE

May 30, 2008

**VIA FACSIMILE (212) 805-7927**

Hon. Naomi R. Buchwald  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 2270  
New York, NY 10007

USDC SDNY  
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DATE FILED: 6/3/08

**Re: Building Service 32BJ Health Fund, et al. v.  
Fulton Park Four Associates, L.P., et al.  
Civil Docket No. 08-cv-2524 (NRB)  
Our File No. 714 LAB110**

Dear Judge Buchwald:

This firm represents defendants Fulton Park Four Associates, L.P. and Fulton Management Co LLC s/h/a "Fulton Park Four Associates, L.P. d/b/a Fulton Park 4 Assoc.; and Fulton Management Co. LLC" in the above-referenced action. As set forth in the Stipulation and Order so ordered by Your Honor on May 6, 2008, the time for defendants to Answer, plead or otherwise move shall be and is extended through the close of business on Monday, June 2, 2008.

We are requesting a further extension of such time as the parties are continuing to actively pursue settlement of the above-referenced matter. This is the second request for an extension of this deadline and is being made on consent of plaintiffs' counsel. In furtherance of settlement, defendants have consented to participate in an audit of their records. Therefore, for the purpose of providing the parties with sufficient time to complete this audit process, we are respectfully requesting an extension of time from June 2, 2008 to and including July 2, 2008 for defendants to Answer, plead or otherwise move.

June 27,  
*Mr. K*

00137024

SO  
ordered  
as  
notified  
6/2/08

Hon. Naomi R. Buchwald  
United States District Judge  
May 30, 2008  
Page 2

Thanking you in advance for your consideration in this matter.

Respectfully submitted,

**TARTER KRINSKY & DROGIN LLP**  
*Attorneys for Defendants*

By:   
Tara Toebs (TT-7181)

cc: Via Facsimile (212) 779-8596  
Rabb Sturm & Goldman LLP  
*Attorneys for Plaintiffs*  
Attention: Michael Geffner, Esq.